# THE SECRET OF ARCTIC DISCOVERY.

Address of Captain Silas Bent, of St. Louis, on Murine Circulation and Corrents.

# OCEAN AVENUES TO THE POLE

Graphic Accounts of Personal Observations-Startling Facts, &c. - Objections to the Theory Answered.

Captain Silas Bent, of St. Louis, the well-known hydrographer, delivered on Saturday, the 6th inst., to a large and highly cultivated audience, the fol-lowing beautiful and able address. He again puts forth his celebrated theory of oceanic currents and circulation, which, since its first promulgation, has been the subject of world-wide scientific discussion, and has been tested by the Carpenter researches and those of the latest North Polar exploring expelitions. The lecturer spoke with great animation and effectiveness, and illustrated his theory of thermometric gateways to the Pole" by large charts, globes, &c. The Ducal party of Alexis was represented in the Captain's audience by Admiral Possiet and M. Bodisco, the Consul General, who occupied seats on the platform. At the conclusion of the address the Admiral, who had been an ex-ceedingly attentive listener, took up the pointer, and with the maps on the wall indicated the extent of some of his recent explorations about Nova Zembla, while commanding the fleet in which the Grand Dake attempted the Polar passage.

Grand Duke attempted the Polar passage.

THE ADDRESS.

MR. PRESIDENT AND LADIES AND GENTLEMEN—When De Noto discovered the Mississippi River, suppose he had remained on and about its borders for months and years, that the velocity of its current, had recorded its depths. Backmires and floated a tomand miles on its transportation and had found that while its appared but slightly, its current became sometimate and the velocity of its current, had recorded the same and its temperature and provided the same and its temperature and provided the same and the temperature and the same and

presents, and which were then for the first time found to be to completely alike.

The beautiful simplicity of the law developed by the theory scene to have so commended itself to the judgment of them; that without an exception, so far as I am aware, the cross everywhere accepted it, and but few persons have allowated to controvert the hypothesis.

In the treatment of my subject this evening I shall endeare to be as brief as possible, consistent with an intelligent expresentation to your minds of the various points that nave accessarily to be considered before a just conclusion can be trawn as to results and of their importance. To do this I have divided the address into three parts, viz:—

First—Explorations of the bypothesis of occasio circulation and of the thermal gateways to the Pole, as given to his society on former occasions. on rise to,  $h_{L}d$ —A sketch of the explorations and discoveries made

ng it all to come thence, we shall have encircling

water, bear in mind, is evaporated principally from the Torrid Zone."

"Supposing it all to come thence, we shall have encircing
the earth a beit of ocean three thousand miles in breadth
from which this atmosphore evaporates a layer of water armust y sixteen feet in deepth." And to hoist up a late sixthe circuits and lower down again all the water in a late sixteen feet deen, three thousand miles long, is they early butness of this invisible mediancy;
as we do the constant effort of active to restore equilibrium and the laws of adaptation, what must be the effect upon the ocean of the removal
of this immense mass of water of 24,550 miles in length, 2,000
miles in width and sixteen feet in depth? Certainy an endeafor on the part of the waters north and south of this
space, and, to do this, all the waters north and south of this
space or zone are at once set in motion to restore the equilibrium; and were there no continents or islands or inequalties in the bed of the oceans, this flow would be uniform
around the whole cart; but by these focal obstructions tiev
are divided into many streams and diverted ifto numerous
channel ways, through when they pour their votame to form
the great equatorial currents of the Atlantic and Pacific,
Some ciphteen months ago Professor Thompson B. Marry,
in a very interesting and sole article, advanced the hypothesis that that portion of the equatorial current which passes
to the northward of the Greater Antilles, and which mass that
form the Gulf of Mexico through the Bernall Stratts,
forms the great mass or body of the tulls stream, and that
which issues from Bemini is but a small portion of the cry
torm a strong current to the weaking the circuit of
the Mexican basin and ganering the the water shall be a set
from the Gulf of Mexico through the Besser Antile to
form a strong current to the weaking the circuit of
the Mexican basin and any and an experience of the Gulf
of Mexico and powerful action of the cult is reason. The single control of the cult of the con

by the northern portion of the equatorial chirrent before spoken of and turned sharply to the north, to become a part instead of forming the whole of what is known as the full stream.

This is the beginning of that marrelious flow of tropical waters which for more than a century has been and is still such a wonder to man.

Ansted describes it as a "great and wide stream of water, larger than all the rivers of the world together, running in a definite channel through colder water of a different color, so that when a ship enters the stream in smooth water one may see the bows dashing the spray from the warm and dark blue waters as he is entering, while the stern is within the pale green and cold waters of the banks of Newfoundiand." "Clear as this description is," says Professor Maury, "it gives us but a poor conception of the reality." The Gulf Tream indeed beggars at elious a sportrayal. To see it will be used to the sum of the conception of the reality. "The Gulf Tream indeed beggars at elious a sportrayal. To see it will be used to the sum of the concept of the sum of the concept is power. The minu can take these in only when it can weigh and measure flose facts and forces which are concensed below the surface and over which even the oldest searman may sait all unconscious and unconcerned." Our knowledge of the sea, even in the limited srea we are now considering, is by no means perfect or exact. Yet after all we are not shut up to scepticism or imagination. The nicely charted results of the arduous labors of the United States Coast Survey of the North Atlantic hare been long some published. These results, like seed long sown, are now beginning, under the hands of anle workmen, to bring forth firms. Leaving the tropics with a temperature of eligity-six degrees at toose but two degrees in every 500 pnies, and Admiral Milice, of the British Navy, reports that when he ran into it of Halitax in the meat actually self-need to the first shade from the fresting point to summer the authority and the british klaineds throughout the year by its genial warenth. By the earth's rotation on its axis objects on its surface between the tropics are carried from west to east at the rate of a thousand miles an hour, while, as we advance towards the Foles, this rate decreases with the decrease in the circumference of the parallels of latitude, so that when we arrive at points where the circumference is only 12,900 miles, instead of 24 000, at it is at the Equator, this velocity of retation is but 500 miles an hour, and so on decreasing multi-reaching the Fole.

The countless failures and disasters of the expeditions for Folat discovery are familiar to you all, as they are to every one who has read their margatives. But, like most others, I had aver given the sucject any special attention or about.

ntil: it so happened that the materials were placed to my unds, which led to the delineation of the Kuro Siwo and the acovery that it formed a part of a great system of currents in the Pacific identical in all its essential reasures with all of the equatorial current, dulf Stream and counter currents in the Atlantic.

To inform you how this occurred. I may state that after a close of the Stexnan war in 1845 the sloop-of-war Prebie, which I was attached, was sent on special service from afformis to China. She followed the equatorial current, the leaving the Sandwich Islands, which carried us from intry to eighty miles beyond our reckoning, every day, by

rate and spoot-cirit, obscured everything beyond the dia tance of a few hundred feet, and continued for three days without intermission. That region of the sea was imperfectly charted and sprinkled with dangerous islands and coral reefs, upon which many stanch ships were almost annually wrecked. As navigator of the vesset the responsibilities and annucles of the occasion bore heavily upon my mind. At the close of the gaie, in which, thad there been no current, we should have dritted or been driven about a hundred miles to the soutawest, and, if still in the strong southerly current, down the Formosa Channel near five hundred miles to the soutawest, and, if still in the strong southerly current, down the Formosa Channel near five hundred miles in the same direction, you may imakine our surprise to find that the ship had been carried nearly a nundred miles to the northward, directly against the wind. Running over to the Loo-chool Islands we passed of his norther current, and in going thence to Accomplishing crossed it, but found it inclining to the east Accomplishing crossed it, but found it inclining to the east Accomplishing the wind of the same and other return the east const of China, finding the southerly current coven the Formosa Channel still running with the same velocity. The Proble returning to California a short time after this pursue the same rounds and found the same currents about the southerly faithed sidegrees north, longitude 145 degrees east, when we had to leave it on a count of a severe epidemio that had broken out among the crew, and which was agravated by the fogs and mists that overhang the current. The experience of this cruize, and its confirmation of the permanent existence of these two great carrents running in opposite directions, side by side, while the equatorial current was flowing with almost equa velocity at almost right and set to owre to find out their origin and whither they lod. Salling assis for China and Japan in 1832, in the expertition under Commodore Perry, I had fortunat

have only occome acquainted personally within the past year, and who has given a graceful beauty to the subject that I had never conceived of before, says:—"Enterprises have been tried under the most propitious anaptees: most of them have been guided by the ablest minds and the most experiments of the world, upheld by the most lavish outlays of moral sympathy and material wealth, and sminated by a zeal which the eternal loes of the North could not obili. In vain have they concern the every route, save the one now suggested. Their failures and disasters have been most signal. The patry success they have reason—patry when compared with the means employed—have been reasped only by crossing formense placeaus and mountains of ice, with infinitely mean pains and perils than attended Hannibai's or Napoleon's passage of the Alps. And this fact alone, however it may shed instreamed, but hitted on the Arctic problem, ucless, ince the floating fragments of some noble ship that has fortudered and gone down, to test the talle of warning, and to reveal the rocks on which the fairest hopes if stranded." "And yet in the very gropings of these galiant spirits—such as Keilett and Kotzebue and party and Kane. It supears that just so far as accidentally they were led to move towards these "thermometric gale ways for the pote, now pointed out, light has beamed upon their pathway. The moment they were called away from these routes and looked westwardly, that light grew dimmet. I'll it was quenched; and some of them steering away from their teels, quickly plunged into cold, and became entangled inc document undercurrent from the Arctic Ocean that offects in Guiff Stream, will, in its large flow to the south, less but the sund. in icy desolation "A". Again he says, "It is froe, as this thermometric theory claims, that the Guif Stream reaches the Pole, with heat enough to met its tee, it ought to follow conversely that the coid, counter undercurrent from the Arctic Decan that offers the Guif Stream, will, in its large flow to the south, tose but still of its Arctic coid and reach the Tropics with frigorite power. Such at least wonth be the densand of a remoraless logic. Anxiously we turn to sake:—"Is this demand satissted? Do the nices mean observations attent the face indubitably?" Here is a gigantic balance, hong by the Greator Himself—one scale at the Pole, the other at the Frogle. The first is, as yel, invisible; the other we can read. We know they must be in equilibria. Let us go to the Fropic, and, with the deep sea thermometer, drag to an answer from this unbiassed and incorruptible witness:—

"Tals theory," continues Professor Maury, "calms that the Guif Stream, whose dimensions we know, poors a part of its young into the space around the Pole. If so, out of the same space must then flow an equal volume towards the Equator. Is this found to be the fact?" It is true marine researches have not vursible! information subicient to speak here with mathematical precision. "But we have facts and light shundart swerely to scrutifize its premises and to getect any error in the principle upon which Capitain Bent's conduction resis."

There certainly issues from the space around the Pole a cassless and mighty flow of waters to the froples. In its course tenergy of large proportions are carried of from the main land. So was are these weighty mastes, and afters so

in their boats, having been carried two hundred miles to the southwest along the coast of Greenland during their sojourn upon the los.

Dr. Peterman is still sceptical as to the existence of an open Polar Soa around the Pole, as I have it here represented, and athough he claims, I believe, the credit for having some years past said that the best route "is right up between Spitzbergen and Nova Zemoin," yet he has also said that the best way to penetrate the lecebel 18 to go against the current and not with it, and in accordance with that belief sent both of his expeditions of 1883-2-79 to the cast of Greenland instead of to the cast of Spitzbergen to look for a route, and has written to Professor Maury, under date of November 23, 1971, that "I am now night and day at work to get up a German or Austran expedition for next year, to steam right along the Guif Stream, past the northermost cape of Asia, the new Siberian Islands, to itchring Straits." From this, you see, he thinks the duff Stream does not go to the Pole, but passes off to the castward along the coast of Asia. It has expedition takes that route I venture the prediction of its faiture.

Finally Lieutenant Weyprecht, of the German navy, salled

## THE STORM IN SAN FRANCISCO.

Damage to the Shipping.

Daminge to the Shipping.

[From the San Francisco Alta, Dec. 19.]

The gale which commenced blowing yesterday morning from the southeast increased in force toward night. During the day squalls were irequent on the bay. The sea was very rough at flood tide, and passengers on the ferries declared that it was the worst storm they had experienced for years. In some instances vessels at their docks were severely chafed. During the evening and night the scene on the water front was most dismal. The gale nowled in the rigging of the shipping and drove the little wharf rais and loungers to seek the shelter of saloons. To counteract the effect of the damp without much moisture was taken within, and the harbor police were kept on the alert to prevent drunken brohs.

INCIDENTS ON THE BAY.

INCIDENTS ON THE BAY. At about nine A. M. the bark Scotland dragged her anchor and collided with H. B. M. war steamer Zestons. She was extreated by the tugs Wizard and Neptune, having lost her mizzen must and main rigging.

The Oakland boat was make to make her usual evening trips and was delanted on this store all

The Oakiand boat was thanke to make her to account from and was detained on this side all might. Welts, Fargo & Co.'s messengers were left across the bay.

In making her last trip at 6:30 P. M. the El Canitan passed a schooner, leaded with wood, drifting past Goat Island. The winstle was blown, but no answer being made, it was supposed that no one was on board of het.

answer being made, it was supposed that no one was on board of her.

The Alameda boat falled to make her 5:30 P. M. trip, and consequently many persons who reside across the bay were unable to reach their homes.

The ship Dominion, which was laying off the Puche Man Steamship Company's wharf, dragged her anchor and drifted past Goat Island. When last seen she was apparently about to go ashore on Sheep Island.

Aschooner was somewhat damaged at the foot of Jackson street. Particulars not known.

On her arrival at Vallejo the Capitan drifted against the wharf, doing some damage. Coming down she had a very rough trip and did not arrive until five minutes past ten P. M., three-quarters of

down she had a very rough trip and did not arrive until five minutes past ten P. M., three-quarters of an hour behind time.

The idaho, which started on Sunday for Mexican ports and the colorado River, and naving on board government troops for Arizona, was compelled to put back on account of the rough sea outside.

DAMAGE IN THE CITY.

In the city the wind rendered umbrellas almost uscless. The rain was dashed almost horizontally into the faces of pedestrians. The street cars went loaded every trip, and the sidewalks, except in the busiest portions, were almost deserted.

At the corner of Bush and Dupont streets a shed roof and awning were blown down and completely wrecked.

The French plate glass in the window of the

At the corner of Bush and Dupont streets a shed roof and awning were blown down and completely wrecked.

The French plate glass in the window of the Hibernia Savings and Loan Society, on the corner of Montgomery and Market screets, receiving the full lorce of the sudden gusts of wind rushing down the latter street, was broken and scriously damaged.

Two large weeping willow trees in the garden at No. 554 showard street were lifted out by the roots and deposited on the sidewalk.

The sheds of the Central Railroad Company, on Turk street, near Fillmore, were reported to have been blown down. Particulars not given.

Windows were blown in on the corner of Jessie and New Montgomery streets; also in the grocery store at the corner of Tenth and Bryant streets.

The chapel of St. Mary's Cathedral was likewise damaged. The beautiful Goine windows of Grace church, corner of Stockton and California, were severely injured.

The tank of the Pacific brewery, on the corner of Fourth and Tehama streets, was blown down and broken in pieces.

A fence was blown down on Third street, between Bryant and Silver. A gentleman was walking at the time with his wife on the sievet when the cracking of the posts was heard.

The conservatory at woodward's Gardens was slightly injured, and a portion of the Skating Rink blown of.

At about midnight night before last the occupant of the telegraph station at Point Lobos was fearful that the building would be blown over the bank, The extreme force of the gais continued more than two hours.

'In the country.

The water on the Southern Pacific Railroad, between san Bruno station and the Seventeen Mile House, was in the alternoon up to the sicepers. In the cut, six miles this side of Watsonyille, the roadbed was in very bad condition. The water had washed out the loose, slimy earth, and if the rain continues to-day as it did yesterday, it is doubtful whether the trains can run there until it is repaired. Some damage is also reported on the line of the Central Pacific Rullroad. Windmills have been blown down, but as yet full particulars have not been learned.

been learned.

A large portion of the remaining walls of the Harpending block were blown early in the afternoon, thus saving the negligent city officers the trouble of so doing. The polition made to the Board of Supervisors last evening may not need any further attention, and complaining property holders may rest in peace.

#### THE BURNING OF JANE M'LAUGHLIN NOT A LAMP EXPLOSION.

Coroner Schirmer yesterday held an inquest in the case of Jane McLaughin, the woman twenty-six years old who on Wednesday night was fatally burned at 301 West Forty second street, as previously reported. The police reported the occurrence to have been the result of a kerosone oil lamp explosion, but such was not the case, as the lamp did not explode. The reservoir of the lamp, being flied with a non-explosive gas, was accidentally liked, thus spilling a portion of the fluid on the dress of deceased, setting it on fire. Becoming frightened Jane ran out, and before friends could reach her and extinguish the flams she was fatally burned. The jury returned a verdict of death from burns accidentally received.

# VALLANDIGHAM.

The Secret and Private Political History of the Late Clement L. Vallandigham's Escape to Canada and Return from Banishment During the Rebellion.

DAYTON, Jan. 8, 1872. At the request of your special correspondent, sta-tioned at this point, the Rev. J. L. Vallandigham, who is preparing his brother's (the late Clement L. Vallandigham) biography, has kindly furnished a few advance sheets, from which I have selected the ollowing, illustrating, as it does, a stirring act tu the drama of his life, known but to few :--

the drama of his life, known but to few:—

RETURN FROM BANISHMENT.
On the morning of the Sin day of Mr., 1863, Mr.
Vallandigham was violently forn from his home, and after an illegal and unjust trial was sent into banishment. On the evening of the 18th day of June, 1884, he returned—of his own accord returned—and was once more sheltered beneath his own roof, in the bosom of his own family.

The circumstances aftending his return were highly interesting and exciting. Before narrating them, however, we will give an account of an attempt he made to return some eight or nine months before, and for this account we are indepted to br.
J. A. Walters, of Dayton. In a letter, dated October 7, 1871, he sals:—

Yours was day received, in which you wish to know—is

Yours was duly received, in which you wish to know-in consequence of my long, infinate and confidential resistions with the Hon, C. It, Vallandigham-if I have not some secret or private political history of him that would no of miscreet to be public, and that might now be properly made known, and if a, whether I would up furnish it to you for publication. Mr. Vallandigham, as his most condidential regards thinself, the always appeared to more from fixed principles, and these principles were the same in private as in public. However, in looking over my papers I had several inlings that may be of public interest, known only to myself. Enclosed you will find some papers from him that you are at liberty to use if you think them of sufficient public interest. But with a view to a proper understanding of the elecumstances which give a short explanation.

All history gives account of premonitions, unseen influences.

on, in consection with work I had said, a provide that reposition to save his life for some future usefulness to his stry, and he did not make the attempt, as lext morning I received the following despatch from

"DETROIT, Oct. 2, 1863. "Mr. J. A. WALTERS!-The next day I received the following letter from Mr. Val-landigham:-

["Private.] "Windson, Canada, October 2, 1852. "My Dran Dooron. The storm was a more successful logican and counseitor than you; so here I am awaiting reaches. But mind, now, I depend on you and all of you to make cutra exertions to bring Dayton and Montgomery county no to the highest mark. I have written Fugh to be positively at D. on the 19th. Now, Dodor, go to work and telegraph me good news on the 18th. Truylic, L. VALL."

ponitrely at D. on the 10th. Now, Doctor, go to work and telegraph me good news on the 18th. Truly<sub>10</sub>C, L. VALL.<sup>10</sup>

Mr. Vallandigham was a firm believer in Providence, and, judging from this providential indictance that the time for inm to return had not yet come, he resolved to patiently walt a little longer. Besides this, he knew that his friends had determined to bring his case before the Supreme Court of the United States in the winter, and, though he was not sanguine as to the result, he considered it his duty to do nothing further this that result should be known. He had confidence in the Court, but his case was of so extraordinary a character that he supposed it most probable that no provision for its legal redress had ever been made, the early framers of our constitution and laws not foreseeing or desming it possible that such a wrong as that to which he had been subjected would ever occur under our free institutions. He was right in his conjecture, for such substantially was the decision of the Court.

He now determined himself to redress the wrong which had been infincted upon him, to recover the liberties of which he had been deprived, the rights which had been illegally and vollently taken from him, or perish in the attempt, and only a waited a inverably time. That time at length came, and the stratagem to which he resorted to accompisin his perious purpose we will now briefly detail.

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# MRS. STEWART'S HUSBANDS.

Two Rusbands Living-The Last

Brenks Her Nose.

Jacob Stewarf, a dilapidated looking colored man, thirty-nine years of age, residing at No. 33 South Fifth avenue, was arrested on Thursday night, by Officer Johnson, of the Eighth precinct, upon complaint of his wite, Josephine, who charged him with assaulting her. The woman upon appearing be-fore Justice Ledwith, at Jefferson Market, yesterday morning, stated that while standing on the street on Thursday night in conversation with a male friend her husband put in an appearance and commenced to upbraid her for her faithlessness to the marital law. She made some evasive reply to him, and commenced laughing, which so enraged the injured Stewart that he drew a large club from under his coat and hit her several blows on the foreunder his coat and hit her several blows on the forehead and nose, nearly breaking the latter. She complained that her nose was in such a flattened condition that she disturced all the occupants of the
house during the night from her loud and repeated
snoring. The woman's shouts, however, brought
the officer to her assistance, who prevented stewart
from hurassing her to any greater extent. She was
conveyed to the Prince street police Station and
locked up to the balance of the night.

Yesterday morning the parties appeared before
Justice Ledwith, at Jederson Marxet, where the
woman preserved her complaint, addms that every
time he came in contact with her he abused and beat
her, and she had come to the conclusion that she had
received enough punishmens at his hands. When
asked what he had to say in reference to the charge
Stewart admitted the beating, but stated it was
justifiable. When asked how it was justifiable for
any man to beat a woman ne repled:—"Your Honor,
any man to beat a woman ne repled:—"Your Honor,
about a year ago I married that woman after a lew
weeks' court-sing, she representing to me that she
weeks' court-sing, she representing to me that she
was a single woman. After living with her about six
months I learned she nad another hasband living,
who had left her, and from whom she had nover obtained that it was true. About this time the first
husband, who had been out of the city, returned,
and she leit me and went to live with him at 96
Allen street; and I'll tell Your Honor when I find
her hanging arotind the Eighth ward my feelings
overcome me, and I can't keep my hands off her."
The woman, in reply, admitted the charge, but
stated nother one was good for anything, as neither
contributed a cent towards her support, and she
had to do the best she could to support herself.
Justice Leewiith, thinking Stewart the injured party,
told him to go home and keep his hands off the
woman in the fature. head and nose, nearly breaking the latter. She com-

Professor Heman H. Sanford, of the Syracuse University, who has been travelling in Europe, is ex-

# THE COURTS.

The Callender Case-The Eric Litigation-Alleged Embezzlement in the Post Office-Maritima Liens-McNevins, the Convict, Granted a New Trial-The Fisk Tragedy Before the Grand Jury of Oyer and Ter-

miner-A Collision Case and Vardict-Action for Alleged Slander-Business in the Coneral Sessions.

UNITED STATES SUPREME COURT.

Individual Butchers of New Orleans Contest ing the Privileges Claimed by the Crescent

City Corporation.

WASHINGTON, D. C., Jan. 12, 1872. No. 61.-Paul Estoben et al. vs. State of Louisiana, and two other cases-In error to the Supreme Court of Louisiana, -In these case and others familiar to the public the plaintiffs were enjoined by the State Court from purchasing certain lands and erecting certain docks in the transaction of their bisiness as businers in New Orleans—the Court holding that the Croscent City Live Stock Landing and Staughter House Company were entitled by the laws of the State to the sole and exclusive right to carry on that business in the city for twenty-five years, the plaintiffs claiming that they had been engaged in the business prior to the authorization, and assert that their privileges and immunities as citizens are abridged by the State action, and that they have been deprived of their rights and profits without their consent, and that their force, the authorization of the company is a violation of the federal constitution and is void, the dominion asserted by the State not being within a power, but within the authority of the United States. On the other hand it is contended that the act is one of policy, adopted by the State to promote salabrity, security and public order in the procurement and consumption of animal food, and that these interests are under the exclusive guardianship of the State, and no law of the United States nor authority of the United States can legally interfere with its discretionary control. The cases have been before stated, when before the Court at the close of the December term, 1889, on a motion to enforce the supersectes on the writ of error. J. A. Campbell and J. Q. A. Fetlows for plainting in error, L. J. Durant for defendants. Court from purchasing certain lands and erect

## UNITED STATES CIRCUIT COURT.

Criminal Trials. Yesterday Judge Benedict resumed the hearing of crimenal cases.

Alleged The tin the Post Office.

The trial of John C. Bertholf, who had been indicted for embezzling \$10 from a registered letter, was again called on at the sitting of the Court. It was again called on at the sitting of the Court. It lasted all day. General Hillver, counsel for defendant, made an able and eloquent address to the jury, contending that the evidence offered for the prosecution showed a conspiracy to rum a respectable and well conducted young man. The jury, after a brief consultation, rendered a verdict of not guilty, thus nonorably acquitting the accused.

Charge of Passing Counterful Nickels.

Churge of Passing Counterfeit Nickels, Charles S. Radke was put upon trial on an indict-ment charging him with passing five cent counter-test nickets. The jury acquitted the defendant with-out leaving their box.

The Court was then abjourned to Monday next.

# UNITED STATES DISTRICT COURT-IN ADMIRALTY.

Maritime Lleus. Yesterday, in the matter of the surplus and remnants of the ship Edith, Judge Blatchford, in rendering his decision against the payment of the claim of Brickingham & Co., lays down the following legal principles:-

that it is the recognized law of the Courts of the United States that a maritime lien does not arise on a contract for materials and supplies furnished to a vessel in her home port, even though such contract may be a maritime contract, it is also a principle recognized by those Courts that in respect to a maritime contract for materials and supplies furnished to a vessel in her home port the State may lawfilly create such liens as it deems proper, not amounting to a regulation of commerce, and may enact, in enforcing such lens, reasonable regulations. If the seizure of a vessel under a warrant is void, a bond given to obtain the release of the vessel from custody is also void. In the United States it is undoubtedly true that where the proceeds are rightfully in the possession of the Court of Admiralty it is an inherent nacident to the jurisdiction of the Court to entertain supplemental suits by the parties in interest to ascertain to whom such proceeds rightfully belong.

The Eric Ruilway Litigation.

Yesterday Mr. Coleman, the Receiver, attended before the Master, Mr. Kenneth G. White, and pre-

fore the Master, Mr. Kenneth G. White, and presented the certificate for 12,785 shares of Erie stock remaining in his hands, and announced his readiness to transfer this stock to Heath and Raphael, ness to transfer this stock to Heath and Raphael, the English shareholders, in pursuance of the order. The Eric Rahway Company produced new certificates of the shares in question, together with the written request of the Eric company by Mr. Jay Gould, its President, to the Farmers' Loan and Trust Company to register the stock. As soon as the shares are registered they will be handed over to Heath and Raphael through their legal representative. Thus a flual result has been reached in a most important branch of this Eric Rahway war.

# UNITED STATES COMMISSIONERS' COURT. The Case of Charles Callender.

further hearing of the case of Charles Callender, the bank examiner, was resumed to-day.

Mr. Noah Davis, the District Attorney, appeared for the government, and Mr. William Fullerton and Mr. Joseph Bell for the defendant. TESTIMONY OF MR. FANCHER.
Mr. Fancher, one of the directors of the Ocean

I met the defendant at the Ocean Bank; he told me then that he had not lately examined the affairs me then that he had not lately examined the affairs of the bank; I desired him to make such an examination and report upon it; some few days after he told me he was making such examination; on October 4 or 5 he attended a meeting of the Board of Directors; he said then that he had examined into the affairs of the bank; I asked him if he world put in writing a statement of the result of his examination; he did so; he also stated that the Portage Lake bonds would soon be fixed so that they would be paid; I did not understand that Calender owned any of such bonds which were in the bank; the Prevident of the bank said, at a meeting of the board of directors, that he had been offered forty cents on the dollar for these bonds, and that he thought they would soon bring sevenly cents on the dollar; nothing, to my knowledge, contained in the statement made by Callender of the affairs of the bank has since then proved to be false; he was wrong in his opinion of the value of some of the stock held by the bank, but in his statement of facts I think he is correct; the Chicago fire had a bad effect upon the bank, and other things happened after Callender made his statement of acts I think he is correct; the Chicago fire had a bad effect upon the bank, and other things happened after Callender made his statement to affect the stock held by the bank; some of it was depreciated; about the time of Callender's examination I was satisfied that the business of the bank was increasing; I did not at that time examine the cash items of the bank, and of consider the most important; if there had been no Chicago fire, and the bank had continued to increase as it was doing before the fire, it was, during a period of three months, instead of one month, as heretofore stated, that, in his opinion, the affairs of the bank were in a very lavorable condition, and that a man could affor to buy the stock of the bank at the only into bank and intensity of the affairs of the bank and that the bank was removed from the assets; he added that he had n

Charge of Embezzling Letters in the Post

Office. Before Commissioner Shields.

The United States vs. Michael J, Murphy .- The ters from the Post Office, of which he was an official. Yesterday the Commissioner rendered his decision, holding that, on the evidence, there was no ground for sending the case to the Grand Jury. The defendant was honorably discharged.

#### SUPREME COURT-GENERAL TERM. McNevins to Have a New Trial.

The Court yesterday decided to grant William II. MoNevins, at present serving a term in Sing Sing on conviction of a charge of mansianghter, a new trial. Judge Cardozo, who delivered the opinion of the

Court, held that on an indictment for murder the jury may convict the prisoner of any inferior de-gree of the offence, and that the Judge erred in re-fusing, pursuant to the request of counsel, to charge to this effect. It was held further that the jury might on the evidence have found the prisoned guilty of manslaughter in the fourth degree.

O'Kell Reiused a New Triat.

In the case of William O'Kell, convicted of re-

ceiving with a guilty knowledge bonds stolen from the Norwalk Bank, the Court yesterday decided that he could not have a new trial. An appeal was taken from the verdist on the ground that the bonds were not properly described in the indictment and not sufficiently connected with him, and also that the Court was not properly organized. All these points were overruled by Judge Ingraham, who delivered the opinion of the Court.

Other Decisions. Saltus et al. vs. Pruyn et al. - Decree of Surrogate reversed.

Elisha Ricomer vs. Thomas P. Storges.—As the Judges disagree the case is ordered to the Second Department.

Department.

Frederick S. Kirtland et al. vs. Daniel F. Schanch et al.—Judgment reversed and new trial ordered, costs to abide event.

Gottheo Hausman vs. Eraamus Stirling.—Order affirmed, with \$10 costs and disbursements.

James L. Mitchell vs. Cassins M. Read.—Judgment affirmed, with costs.
In re-Henry P. Bambridge et al.—Order affirmed, with \$10 costs.

Charles Turner vs. William S. Lee.—Judgment

Charles Turner vs. William S. Lee.—Judgment affirmed, with costs.

Russell Sturges et al. vs. Paul N. Spofford et al.—Order arithmed, with \$10 costs.

Patip F. Pestor vs. Amos F. Hatfield et al.—Appeal dismissed, with \$10 costs.

Carl Striver vs. Charles C. Taber et al.—Judgment affirmed, with costs.

Marine Bank of Chicago vs. Tunis Van Brunt.—Order affirmed, with \$10 costs.

Ma Lews B. Howe vs. Samuel B. Potter.—Order affirmed.

Isaac E. Smith. &c., vs. Nelson Holland et al.—Judgment affirmed, with costs.

The People ex rel. Shelton vs. Henrietta Gowen.—Judgment affirmed, with costs.

William Watson vs. David L. Gardiner.—Order reversed, without costs.

verset, without costs.
William J. Stokes vs. Jereminh S. Johnson et al.—
Judgment affirmed, with costs.

## COURT OF OYER AND TERMINER.

The Grand Jury Investigating the Fish

Transedy.

The subject of the murder of the late James Fisk, Jr., underwent examination yesterday before the Grand Jury of this Court. Nearly ail day was employed in the examination of witnesses, and an indictment against stokes is likely to be handed in our allowed, when the Court meets again.

SUPREME COURT-SPECIAL TERM Dividenc's by the New Amsterdam Fire Ind surance Company.

Before Judge Barnard. matter of the New Amsterdam Fire Insurance Company, on application for instructions by E. R. Meade, counsel for Receiver, Mr. Cassady,

#### SUPREME COURT-CHAMBERS. Decisions.

Shepard et al. vs. Weiss et al.—Default opened upon payment of trial fee and \$10 costs of this motion and upon detendants supulating to try (il reached) upon the 1911 mst.
Clark et al. vs. Hayward.—Motion denied, with \$10 costs.
In the Matter of the Petition of Mary E. MeDermott.—Custody of the child awarded to the petitioner.

SUPERIOR COURT-SPECIAL TERM.

Decisions.

By Judge Barbone.

Myers vs. Hazard.—Motion granted.
Connor vs. Ehrich.—Order granted.
Pans vs. Ruler.—Same.
Young vs. Ehet.—Judgment on demurrer.

By Judge Freedman.
Donnell vs. Donnell.—Motion granted.

SUPERIOR COURT-THIAL TERM-PART I. A Deliberative Jury-Their Verdict of Dugis nges, Before Judge Freedman.

Fielsohl vs. Mason & Co.—This was the suit for \$10,000 dyinages through the plaintiff, while driving in Gentral Park, being run into by a back belong, ing to the detendants and thrown to the ground. After thirty hours' meditation upon the subject of the damages to be awarded the jury managed to harmonize yesterday, and brought in a verdict for \$900 for the plaintiff.

COURT OF COMMON PLEAS-SPECIAL TERM.

Decisions. By Judge Loew.

Jewett vs. Brent. -- Motion granted.

Leviness vs. Chausen. -- Motion denied, without

Leviness vs. Clausen.—Motion defices,

Bomiel vs. The New Jersey Central Railroad Company.—Motion to open detailt denied.

Taylor vs. Ryan.—See memorandum for counsel.

Hunt vs. Kelly.—Motion granted.

Roomson vs. Brinkerkon.—Motion granted.

Lorenz vs. May.—Motion to discharge all attachments against property of defendants granted, with

\$10 costs.

By Judge Larremore.

By Judge Joseph F. Daly.
Gross vs. Scott.—Judgment amended by striking out, complaint dismissed and motion denied, defendants, &c.
Wolt vs. Coulter.—Motion may stand for ten days.
Vosburgh vs. Brewster et al.—Case settled.
Frank vs. Lowenstein.—Motion denied.
North National Bank vs. Baker.—Motion granted.

MARINE COURT-PART 3. Action for Alleged Slander.

Before Judge Joachimson.
Ferris vs. McDevitt.—This action is brought by law book publishers, at 86 Nassau street, to recover \$1,000 for alleged slander. In July, 1870, the delaw book publishers, at 86 Nassau street, to recover \$1,000 for alleged stander. In July, 1870, the defendant in the case sued for a bill of injunction, in the City Court of Brooklyn, to restrain Diossy & Co. from pasting their advertisement over and covering up the advertisement of the defendant in this case in the Albany Law Journal, a weekly paper published in the interest of the legal profession. On the trial of that case the plaintin swore to a certain state of lasts—to wit, that he and pasted the advertisement of Diossy & Co. over the advertisement of the defendant without authority, and that he used out of some old circulars, and that he used out of some old circulars, and that they were not printed for the express purpose of covering up the defendant told a cierk in the employ of Diossy & Co., in Fulton street, that the plaintiff had sworn to a lie, and that "a young mad who would swear to a lie and that "a young mad who would swear to a lie would do anything," and also that he would not have a cierk in fits employ who would sell himself;" and further, that the defendant said of the plaintiff while in the store of Shattock Bros., in Nassau street, "that he had sworn to a he in the suit in Brooklyn." The plaintiff ciaims that the words used by the defendant imputed perjury, and, in consequence, injured his good name and reputation. A large amount of testimony was taken, both pro and con, up to the hour of adjournment. The case will be resumed on Monday next.

Larcenies and Burglaries.

Before Judge Bedford. Assistant District Attorney Sullyan prosecuted esterday, and a number of cases were disposed of,

but none of particular interest.

John Connors was tried and convicted of burgiariously entering the liquor store of James Rey-nolds, 241 West Eighteenth street, and stealing \$7 noids, 241 West Eighteenth street, and steaming \$1 worth of cigars and \$150 in pennies. As the presoner had previously served a term in the State Prison the Judga sentenced him for the full term—hve years in the State Prison.

Patrick Les was convicted of stealing two coats from Jones E. Taylor, No. 17 bethune street, on the 20th of December, and sent to the State Prison for one year.

rom Jones E. Taylor, No. 17 bethune street, on the 20th of December, and sent to the State Prison for one year.

Neine Elkins pleaded guilty to an attempt at grand larceny in steahing, on the 23d of December, two sik dresses from Marcus Rosenthal, and was sent to the Pentiennary for one year.

William Horton, a voy, was tried and convicted of burgiary, he having, on the 28th of December, entered the ceilar of Louis Kielmann, No. 172 avenue C, and attempted to steal 100 pounds of toolaced, being under sixteen years of ago the Court sent him to the House of Refuge.

John Body, a youth, was tried upon a charge of entering the dwelling house of William Thompson, No. 459 West Thirty-second street, and stealing 500 worth of property, but the evidence was only single, and the jury rendered a vertical of not guilty. John H. Cooley, a colored man, who was charge by with cutting Ellen Hall in the arm with a knile of the 14th of December, was acquitted.

SENTENCES.

William Goodmen, who pleaded guilty on Thursday to petty larceny, was sentenced to six months imprisonment in the Pennientary and fined \$2 3d. Jane Loughlin, who pleaded guilty to larceny from the person, was sent to the Pentientary for one year.

Michael Caser, guilty of petty larceny, was sent to the Pentientary for six months.

Saran E. Gart, who pleaded guilty to larceny, was sent to the Pentientary for one month.

Henry Powers, a youth, was placed at the bar charged with stealing some pear buttons from his employer. Mr. Hummet informed the Court that